

**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF NORTH CAROLINA
CHARLOTTE DIVISION
DOCKET NO. 3:07CV516-W**

**MERRILL LYNCH BUSINESS
FINANCIAL SERVICES, INC.,**

Plaintiff,

vs.

**FIRST CARE MEDICAL CLINIC, INC.,
and BENEDICT OKWARA,**

Defendants.

ORDER

THIS MATTER is before the Court, *sua sponte*, as to the status of this case. This matter is governed by the “Standing Order Governing Civil Case Management Before The Honorable Frank D. Whitney” (3:07-mc-00047). Service of the Initial Scheduling Order, which is part of the Standing Order (3:07-mc-47 (Doc. No. 2)), is noted on the docket sheet as taking place on December 10, 2007, with a hyperlink to the document. Section 6(b) of the Initial Scheduling Order sets forth the requisite contents for the parties’ Certification of Initial Attorneys’ Conference and joint proposed discovery plan.

The Certification of the Initial Pretrial Conference (Doc. No. 10) filed by the parties on February 1, 2008, does not comply with the requirements of Section 6(b). Accordingly, it is, ordered to be STRICKEN.

Additionally, the Court ORDERS the parties to immediately familiarize themselves with the Court’s Standing Order, including the Initial Scheduling Order. The parties shall file a conforming Certification of Initial Attorneys’ Conference and proposed discovery plan no later than **Friday, February 8, 2008**. Failure to do so may result in dismissal of the Complaint.

IT IS SO ORDERED.

Signed: February 4, 2008



Frank D. Whitney
United States District Judge

